

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEBORAH ANN CAVANESS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

NO: 2:14-CV-0356-TOR

ORDER ADOPTING REPORT AND
RECOMMENDATION

BEFORE THE COURT is Magistrate Judge Rodgers' Report and
Recommendation to grant the parties' stipulated motion for remand (ECF No. 21).

The parties have not consented to proceed before a magistrate judge.

After careful consideration, this Court **ADOPTS** in its entirety the Report
and Recommendation (ECF No. 21). The Commissioner's final decision is
REVERSED and **REMANDED** for further proceedings pursuant to sentence four
of 42 U.S.C. § 405(g).

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1 **IT IS ORDERED:**

2 1. The Report and Recommendation (ECF No. 21) is **ADOPTED**.

3 2. The Commissioner's decision regarding Plaintiff's application for
4 supplemental security income under Title XVI of the Social Security Act is
5 **REVERSED** and **REMANDED** to the Commissioner of Social Security for
6 further proceedings pursuant to sentence four of 42 U.S.C. §405(g).

7 3. The Appeals Counsel will instruct the ALJ to do the following on
8 remand:

- 9 a. Give Plaintiff the opportunity to submit additional evidence;
10 b. Reevaluate whether Plaintiff meets or medically equals Listing
11 12.05, and in so doing, attempt to obtain Plaintiff's previous
12 education and IQ testing records, or obtain updated IQ testing;
13 c. Reconsider Plaintiff's RFC, if warranted;
14 d. Seek supplemental vocational expert evidence, if warranted, to
15 determine whether there are a significant number of jobs Plaintiff
16 can perform;
17 e. Give Plaintiff the opportunity to have a new hearing; and
18 f. Issue a new decision.

19 4. All pending motions are **DENIED** as moot.

20 The District Court Executive is directed to enter this Order, enter
JUDGMENT for Plaintiff, provide copies to counsel, and **CLOSE** the file.

DATED August 4, 2015.



Thomas O. Rice
THOMAS O. RICE
United States District Judge